



RULE-MAKING ORDER

CR-103 (June 2004)
(Implements RCW 34.05.360)

Agency: Washington State Patrol

☒ Permanent Rule
☐ Emergency Rule

Effective date of rule:

Permanent Rules

☒ 31 days after filing.
☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

☐ Immediately upon filing.
☐ Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose:

The Washington State Patrol Office of Government and Media Relations was contacted by a Senator requesting a seat belt exemption for individuals driving delivery vehicles. The constituent who contacted the Senator requested an exemption similar to what is currently granted to rural mail carriers, rural newspaper delivery carriers, utility meter readers, and refuse/recycling collectors. The proposed language outlines specifically when a commercially-recognized delivery vehicle operator may be exempt from wearing a seat belt system.

Citation of existing rules affected by this order:

Repealed:

Amended: WAC 204-41 Seat Belt Exemptions

Suspended:

Statutory authority for adoption: RCW 46.61.688 (2)

Other authority :

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 05-12-048 on May 26, 2005 (date).

Describe any changes other than editing from proposed to adopted version: No changes were made to the proposed text.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

☐ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: 8/2/05

NAME (TYPE OR PRINT)

John R. Batiste

SIGNATURE

Paul S. Beckley

CODE REVISER USE ONLY
STATE OF WASHINGTON
FILED

AUG 2 2005

TIME

WSR

919

05-16-093

AM
PM

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	<u>1</u>	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 204-41-080 Commercially recognized delivery vehicles.
Operators of commercially recognized delivery vehicles making frequent stops when traveling wholly within the limits of a town of less than ten thousand population, traveling less than one mile between stops on roads with a posted speed limit not greater than thirty-five miles per hour, while actually on a designated delivery route are not required to wear a seat belt system. Seat belt use is required when traveling to and from the designated route.